

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

MAXIMO NUNEZ,

Defendant.

CONSENT ORDER OF
RESTITUTION

24 Cr. 37 (VM)

Upon the application of the United States of America, by its attorney, Damian Williams, United States Attorney for the Southern District of New York, Assistant United States Attorney Jaclyn Delligatti, of counsel; the presentence report; the Defendant's conviction on Count One of the above-referenced Information; and all other proceedings in this case, and upon the consent of MAXIMO NUNEZ (the "Defendant"), by and through his counsel, David Touger, Esq., and upon consideration of the factors set forth in Title 18, United States Code, Section 3664(f)(2), it is hereby ORDERED that:

1. Amount of Restitution. MAXIMO NUNEZ, the Defendant, shall pay restitution in the total amount of \$462,064.55 in United States currency to the victim of the offense charged in Count One of the Information. The name, address, and specific amount owed to the victim is set forth in the Schedule of Victims attached hereto. Upon advice of a change of address, the Clerk of the Court is authorized to send payments to the new address without further order of this Court.

2. Joint and Several Liability. Defendant is the sole offender. Defendant's liability for restitution shall continue unabated until the Defendant has paid the full amount of

restitution ordered herein, and the victim has been paid the total amount of his loss from all the restitution paid by the Defendant.

3. Schedule of Payments. Pursuant to 18 U.S.C. § 3664(f)(2), in consideration of the financial resources and other assets of the Defendant, including whether any of these assets are jointly controlled; projected earnings and other income of the Defendant; and any financial obligations of the Defendant; including obligations to dependents, the Defendant shall pay restitution in the manner and according to the schedule that follows: The total amount of restitution, upon entry of this judgment, in the interest of justice, shall be payable in installments pursuant to 18 U.S.C. § 3572(d)(1) and (2).

While serving the term of imprisonment, the Defendant shall make installment payments toward his restitution obligation, and may do so through the Bureau of Prisons' (BOP) Inmate Financial Responsibility Plan (IFRP). Pursuant to BOP policy, the BOP may establish a payment plan by evaluating the Defendant's six-month deposit history and subtracting an amount determined by the BOP to be used to maintain contact with family and friends. The remaining balance may be used to determine a repayment schedule. BOP staff shall help the Defendant develop a financial plan and shall monitor the inmate's progress in meeting his restitution obligation.

4. Payment Instructions. Restitution payments shall be made payable to the "SDNY Clerk of Court" and delivered to: United States Courthouse, 500 Pearl Street, New York, New York 10007 - Attention: Cashier, as required by 18 U.S.C. § 3611. The Defendant's name and the docket number of this case shall be written on each check or money order. Any cash

payments shall be hand delivered to the Clerk of Court using exact change and shall not be mailed. For payments by wire, the Defendant shall contact the Clerk of Court for wiring Instructions.

5. Sealing. Consistent with Title 18, United States Code, Sections 3771(a)(8) and 3664(d)(4) and Federal Rule of Criminal Procedure 49.1, to protect the privacy interests of victim, the Schedule of Victims attached hereto shall be filed under seal, except that copies may be retained and used or disclosed by the Government, the Clerk's Office, and the Probation Department, as need be to effect and enforce this Order, without further order of this Court.

Dated: New York, New York
May 31, 2024

SO ORDERED:



HONORABLE VICTOR MARRERO
UNITED STATES DISTRICT JUDGE